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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,696	09/21/2001	F. Van Baltz	12870US03	4274

7590 02/20/2004

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EXAMINER	
CAPRON, AARON J	
ART UNIT	**PAPER NUMBER**
3714	15

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/960,696	BALTZ ET AL.
	Examiner	Art Unit
	Aaron J. Capron	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4, 6-12 and 14-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-12 and 14-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This is a response to the Amendment received on December 22, 2003, in which claims 2, 11 and 14-15 were amended and claim 13 was cancelled. Claims 1-4, 6-12 and 14-17 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 8-12, 14 and 16-17 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Rowe (U.S. Patent No. 6,394,907).

Rowe discloses a gaming system comprising a game machine including a display arranged to display a credit amount (7:31-36); a medium generator arranged to generate a medium comprising a machine-readable validation code the exclusion of a machine-readable credit amount (6:33-37; 6:53-66; 13:44-51, esp 13:49-51); a reader unit arranged to read the validation code from the medium (6:13-18); and a network interface; a network (Figure 3); and a central authority arranged to store the validation code and a credit amount received from the network in response to generating the medium, arranged to validate the validation code and arranged to transmit the stored credit amount through the network to the interface in response to validation of the validation code, the credit amount being displayed on the display (12:32-14:48).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe in view of Stockdale et al. (U.S. Patent No. 6,251,014; hereafter "Stockdale").

Referring to claims 7 and 15, Rowe discloses the a central authority transmits to the interface through the network a validation code, but does not disclose that the central authority sends a validation code before a cashout signal is generated. However, Stockdale discloses a gaming system, with a card reader/printer, which transfers pertinent information from a master device to a peripheral device in order to preserve the functionality of the peripheral devices in case of a power failure (17:58-18:5). One would be motivated to combine the references in order to protect the pertinent information that preserves the functionality of the peripheral device in case of a power failure. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the security features of Stockdale into the gaming system of Rowe in order to protect the pertinent information that preserves the functionality of the peripheral device in case of a power failure.

Response to Arguments

Applicant's arguments filed December 22, 2003 have been fully considered but they are not persuasive.

Applicants argue that Rowe fails to disclose a medium generator arranged to generate a medium comprising a machine readable validation code to the exclusion of a machine-readable credit amount. However, Rowe discloses generating a debit card (6:60-7:3), wherein the player uses a debit card as a cashless instrument, the game player may be able to directly deposit the award on the debit card into a bank account accessible to the game player (13:3-10). Debit cards that communicate with banks do not store the machine readable credit amounts. Further, Rowe discloses that the information such as cash value may be on the ticket voucher, but is not required on the ticket voucher. In order for a ticket voucher to work without having a cash value stored on the card, the ticket voucher must be in communication with a central authority validating and authorizing the transaction, such as a bank (13:3-10). Therefore, the claimed invention fails to preclude Rowe's gaming network.

Applicants argue that Rowe fails to teach or suggest a central authority arranged to store validation code and a credit amount received from the network in response to generating the medium and that the central authority validates the validation code. However, as stated above, Rowe discloses that a bank is a central authority that can validates and authorizes the debit card. Further, Rowe discloses that at a cashless generation site, transaction information is processed and stored on a central server (Figure 4 and 12:32-62), wherein the transaction information is used to validate the cashless instrument (12:53-54). The transaction/validation information is stored on a cashless server, wherein the clearinghouse server can act as one of the cashless servers (11:13-15). Furthermore, the claimed invention is not so limiting as to exclude the use of

a central authority being Rowe's cashless server. Therefore, the claimed invention fails to preclude Rowe's gaming network.

Applicants argue that the combination of Rowe and Stockdale fail to disclose transmitting through a network a validation code before a cashout signal is generated. However, the combination of Rowe and Stockdale provide storing the transaction/validation information at a central authority and a peripheral device in case of a power failure, wherein the transaction/validation information would be transmitted to the peripheral device before the cashout signal is generated in order to back up the information at the central authority in case of a power failure at the central authority. Therefore, the claimed invention fails to preclude Rowe's gaming network.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron J. Capron whose telephone number is (703) 305-3520. The examiner can normally be reached on M-Th 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ajc

JESSICA HARRISON
PRIMARY EXAMINER